

EXHIBIT

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Attorneys for Secured Creditor BAYVIEW LOAN SERVICING, LLC., AS SERVICER FOR
 THE BANK OF NEW YORK, AS TRUSTEE ON BEHALF OF THE
 CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST
 2004-36CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-
 36CB

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re

SCHULTE PROPERTIES LLC,

 Debtor.

Bankruptcy Case No. 18-12734-mkn

Chapter 11

BAYVIEW LOAN SERVICING, LLC., AS
 SERVICER FOR THE BANK OF NEW
 YORK, AS TRUSTEE ON BEHALF OF
 THE CERTIFICATEHOLDERS CWALT,
 INC., ALTERNATIVE LOAN TRUST
 2004-36CB MORTGAGE PASS-
 THROUGH CERTIFICATES, SERIES
 2004-36CB'S ORDER TERMINATING
 AUTOMATIC STAY RE: REAL
 PROPERTY LOCATED AT 1701 EMPIRE

MINE DRIVE, HENDERSON, NEVADA
89014-4081

Hearing:

Date: December 12, 2018

Time: 9:30 A.M.

A hearing on Secured Creditor Bayview Loan Servicing, LLC., as servicer for THE BANK OF NEW YORK, AS TRUSTEE ON BEHALF OF THE CERTIFICATEHOLDERS CWALT, INC., ALTERNATIVE LOAN TRUST 2004-36CB MORTGAGE PASS-THROUGH CERTIFICATES, SERIES 2004-36CB's Motion for In Rem Relief From the Automatic Stay came on regularly for hearing in the United States Bankruptcy Court before the Honorable Mike K. Nakagawa.

The court having duly considered the papers and pleadings on file herein and being fully advised thereon and finding cause therefor:

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

The automatic stay of 11 United States Code section 362 is hereby immediately terminated as it applies to the enforcement by Movant of all of its rights in the real property under the Note and Deed of Trust encumbering the real property commonly known as 1701 Empire Mine Drive, Henderson, Nevada 89014-4081 ("Real Property"), which is legally described as:

SEE LEGAL DESCRIPTION ATTACHED HERETO AS
EXHIBIT A AND MADE A PART HEREOF

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant and/or its foreclosure trustee shall mail written notice of the time, date and place of the foreclosure sale of the Real Property to the Debtor at the address for the Real Property at least 7 calendar days prior to the foreclosure sale. In the event that Movant and/or its foreclosure trustee provides at least 7 calendar days' advance notice of the time, date and place of the foreclosure sale of the Real Property in compliance with the notice requirements set forth in Chapter 107 of Nevada Revised Statutes, those notices shall be sufficient to satisfy the requirement of this Court to provide 7 days' notice to the Debtor.

1 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the 14-day stay
2 prescribed by Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is waived.

3 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the requirements of
4 Local Bankruptcy Rules 9021 are waived.

5 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Movant may offer and
6 provide Debtor with information re: a potential Forbearance Agreement, Loan Modification,
7 Refinance Agreement, or other Loan Workout/Loss Mitigation Agreement, and may enter into
8 such agreement with Debtor.

9 IT IS FURTHER ORDERED, ADJUDGED AND DECREED that this order shall be
10 binding and effective and supersede any subsequently entered confirmation order that confirms a
11 Chapter 11 Plan of Reorganization providing for the treatment of Movant's claim.

12 RULE 9021 CERTIFICATION:

13 In accordance with LR 9021, counsel submitting this document certifies that the order accurately
14 reflects the court's ruling and that (check one):

15 ☐ The court has waived the requirement set forth in LR 9021(b)(1).

16 ☐ No party appeared at the hearing or filed an objection to the motion.

17 ☐ I have delivered a copy of this proposed order to all counsel who appeared at the hearing,
18 and any unrepresented parties who appeared at the hearing, and each has approved or
19 disapproved the order, or failed to respond, as indicated below [list each party and whether the
20 party has approved, disapproved, or failed to respond to the document]:
21

22 APPROVED/DISAPPROVED

APPROVED/DISAPPROVED

APPROVED/DISAPPROVED

23
24 SCHULTE PROPERTIES LLC
DEBTOR(S)

MATTHEW L. JOHNSON
DEBTOR(S) ATTORNEY

TRUSTEE

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26 /././

27 /././

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1 ☐ I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order
2 with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of
3 the order.

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5 Respectfully submitted,

6 **ALDRIDGE PITE, LLP**

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9 Dated: November 6, 2018

/s/ Arnold L. Graff)
ARNOLD L. GRAFF
Attorney for *Movant* BAYVIEW LOAN
SERVICING, LLC., AS SERVICER FOR
THE BANK OF NEW YORK, AS
TRUSTEE ON BEHALF OF THE
CERTIFICATEHOLDERS CWALT, INC.,
ALTERNATIVE LOAN TRUST 2004-
36CB MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2004-36CB

EXHIBIT A

PARCEL I:

Lot Fifty-Two (52) in Block Eight (8) of Phase I of Village Two (2) of AMENDED PLAT OF THE BLUFFS, as shown by map thereof on file in Book 43 of Plats, Page 83, in the Office of the County Recorder of Clark County, Nevada.

PARCEL II:

A non-exclusive easement for ingress, egress, use, and enjoyment in, to, and over the Phase I Common Area as delineated on the Plat of THE BLUFFS, on file in Book 41 of Plats, Page 2, and delineated on the AMENDED PLAT OF THE BLUFFS, as shown by map thereof on file in Book 43 of Plats, Page 83, and as delineated on the Plat of THE BLUFFS VILLAGE 3A, on file in Book 41 of Plats, Page 58, and further described in the Master Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for The Bluffs, recorded May 12, 1989 in Book 890512 as Document No. 00096 and re-recorded June 14, 1989 in Book 890614 as Document No. 00559 and the Declaration of Covenants, Conditions and Restrictions and Reservation of Easements for Village 2, The Bluffs, recorded May 25, 1989 in Book 890525 as Document No. 00246, and re-recorded June 14, 1989 in Book 890614 as Document No. 00561, as the same may from time to time be amended and/or supplemented of Official Records.